

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

1 BRONISLAVA KOSMAS, et al.,  
2

3 Plaintiffs,

4 CIVIL NO. 98-2330 (RIA)

SAN JUAN GRAND BEACH RESORT,  
et al.,

7 Defendants.

MINUTES OF FURTHER SETTLEMENT CONFERENCE  
HELD ON APRIL 7, 2000

At the FURTHER SETTLEMENT CONFERENCE held on April 7, 2000 from 4:10 p.m. to 4:35 p.m. plaintiffs were represented by HERMAN W. COLBERG, ESQ. Defendant, SAN JUAN GRAND, was represented by CARLOS A. GARCIA PEREZ, ESQ. and third-party defendant, J.P. CONSTRUCTION, by VIVIAN DURIEUX, ESQ.

17 MR. GARCIA PEREZ argued that his client's position was that the  
18 construction company should be liable for the entire settlement  
19 amount because it was responsible for placing the wooden plank where  
20 plaintiff tripped and fell.

Defendant advised that NAZARIO's report had been made available to the other parties on April 6, 2000. Plaintiff needs additional surgery to correct her knee condition. There is still a dispute regarding whether or not plaintiff's damages are attributable to a prior knee condition, i.e., knee replacement.

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Defendant and third-party defendant mentioned that they had considered the possibility of settling with plaintiff and then disposing of their dispute but had decided against it.

Counsel for plaintiff indicated that he had made a settlement demand for \$90,000.00 but had received no response from opposing counsel.

8 MR. GARCIA PEREZ stated that he needs a copy of the  
9 construction contract to ascertain the parties' respective  
10 liabilities. MS. DURIEUX advised that she only had available a  
11 working draft and that her client did not have a signed copy.

Given the present status of the proceedings any discussion of  
settlement would be futile.

14 The parties were reminded that PRETRIAL CONFERENCE has been set  
15 for August 15, 2000 and TRIAL for August 24, 2000.

IT IS SO ORDERED.

San Juan, Puerto Rico, this 7 day of April, 2000.

RAYMOND L. ACOSTA  
United States District Judge